

ATTORNEY'S DOCKET NUMBER: 2006517-0010 (Bacterial Delivery DIV2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Caplan Examiner: Huynh
Serial No.: 10/728,323 Art Unit: 1644
Filing Date: December 4, 2003
Title: MICROBIAL DELIVERY SYSTEM

Commissioner for Patents
c/o Supervisory Patent Examiner Art Unit 1644
P.O. Box 1450
Alexandria, VA 22313-1450

Madam;

STATEMENT ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

UNDER 37 C.F.R. § 3.73(b) AND

CONSENT OF ASSIGNEE UNDER 37 C.F.R. § 1.48(a)(5)

Allertein Therapeutics, LLC, the assignee of the entire interest in the subject matter of the above-referenced patent application, as evidenced by the Assignment from sole inventor Michael J. Caplan to Seer Pharmaceuticals, LLC recorded August 13, 2004 (Reel/Frame: 015669/0280) and Assignment Change from Seer Pharmaceuticals, LLC to Allertein Therapeutics, LLC recorded on September 13, 2006 (Reel/Frame: 018241/0373), hereby consents to the addition of Hugh A. Sampson, A. Wesley Burks, H. Kim Bottomly and Howard B. Sosin as inventors to the above-referenced patent application.

More specifically, the Assignee agrees to the change of inventorship in the above-captioned patent application from Michael J. Caplan as sole inventor, to Michael J. Caplan, Hugh A. Sampson, A. Wesley Burks, H. Kim Bottomly and Howard B. Sosin as joint inventors.

I, a person authorized to sign on behalf of the Assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine as Assignee who seeks to take action under 37 C.F.R. § 1.48(a)(5).

ALLERTEIN THERAPEUTICS, LLC

Signature:



Name:

Hause, Son

Title:

President CEO

Date:

9 June 09